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 10 Attorneys for Defendants  
 City of Novato, et al.

11  
**UNITED STATES DISTRICT COURT**

12  
**NORTHERN DISTRICT OF CALIFORNIA**

13 MARIN COUNTY HOMELESS  
 14 UNION, a local affiliate of the  
 CALIFORNIA HOMELESSNESS  
 15 UNION, on behalf of itself and those it  
 represents; CAMP COMPASSION, a  
 16 Homeless Union-affiliated encampment  
 in Lee Gerner Park; Individual Plaintiffs  
 17 JASON SARRIS; LEA DEANGELO;  
 ZACH BOULWARE; CARRIE  
 18 HEALON, LISA NICOLE JOHNSON;  
 DONALD HOBBS; DEBORAH ANN  
 19 MIROMONTES; LISA JOHNSON;  
 CHARLES TALBOT; BETHANY  
 20 ALLEN; MICHELANGELO MONTEZ;  
 DEBORAH ANN MIRAMONTES;  
 21 KALANI WELSCH, and other similarly  
 situated homeless persons including  
 22 current residents of Camp Compassion  
 homeless encampment,

23  
 24 Plaintiffs,

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 v.

26 CITY OF NOVATO; CITY MANAGER  
 ADAM MCGILL, MAYOR PAT  
 EKLUND, MAYOR PRO TEM ERIC  
 27 LUCAN, CHIEF OF POLICE  
 MATHEW MCCAFFREY, PUBLIC  
 28 WORKS DIRECTOR CHRIS BLUNK,

Defendants.

CASE NO.: 4:21-cv-05401-YGR

[Assigned to the Hon. Yvonne Gonzalez  
 Rogers]

**[PROPOSED] ORDER DISMISSING  
 CASE AND RETAINING  
 JURISDICTION PURSUANT TO  
 SETTLEMENT AGREEMENT**

Hearing Date: October 6, 2021  
 Time: 9:00 a.m.  
 Ctrm: 1

Colantuono, Highsmith & Whatley, PC  
 790 E. Colorado Blvd., Suite 850  
 Pasadena, CA 91101  
 CA 05.17.6

# **[PROPOSED] ORDER**

The Court, having considered the Stipulation and Joint Motion for Order for Dismissal With Retained Jurisdiction, and good cause appearing therefor, hereby ORDERS as follows:

1. The terms of the Settlement Agreement, attached to the Stipulation and Joint Motion for Order for Dismissal With Retained Jurisdiction as Exhibit A, are hereby incorporated by reference into this Order. See *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375 (1994).

2. With the consent of the Parties, the Court agrees to retain jurisdiction to enforce the terms of the Settlement Agreement. See *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375 (1994).

3. With the consent of the Parties, the Court specially designates Magistrate Judge Robert Illman to conduct all further proceedings in this action pursuant to 28 U.S.C. § 636(c).

4. In consideration of Plaintiffs' agreement that this action shall be dismissed with prejudice, Defendant City of Novato agrees to pay Plaintiffs the total sum of \$35,000.00 in full satisfaction of any and all claims by Plaintiffs for attorneys' fees and costs in connection with this case.

5. The action captioned *Marin County Homeless Union, et al. v. City of Novato, et al.*, Case No. 4:21-cv-05401-YGR, is hereby dismissed with prejudice.

DATED: October 13, 2022

By: *Yvonne Gonzalez Rogers*  
Hon. Yvonne Gonzalez Rogers